

REMARKS

With this amendment Applicant cancels claim 16. Claims 1-15 and 17-30 are all the claims pending in the application. Claims 4-8, 10-13, 18-22 and 26-30 are withdrawn from consideration. Applicant has amended claim 2 for clarity and precision of language.

I. Formalities

Applicant thanks the Examiner for acknowledging the claim for foreign priority under 35 U.S.C. § 119 and for confirming receipt of the certified copy of the priority document.

Applicant also thanks the Examiner for indicating that the formal drawings filed on July 8, 2003, have been accepted.

In addition, Applicant thanks the Examiner for initialing and returning a copy of the form PTO-1449 submitted with the Information Disclosure Statement filed on March 29, 2004.

II. Elections/Restrictions

Applicant thanks the Examiner for acknowledging the election without traverse of Group I, claims 1-3, 9, 14-17 and 23-25.

III. Claim Rejections - 35 USC § 102

The Examiner has rejected claims 15-17 under 35 U.S.C. § 102(e) as being anticipated by Satoh (US 6,700,615 B1) ["Satoh]. For at least the following reason, Applicant traverses the rejection.

Claim 15 recites an autofocus camera that comprises an "aperture stop shifting mechanism [that] has actuators for shifting said aperture stop unit and said actuators change an opening size of said aperture stop unit by setting said aperture stop unit on said lens optical axis,

to adjust said light amount for an exposure.” The Examiner contends that Figs. 7A-7F of Satoh disclose this feature. Office Action at page 2.

Satoh discloses that diaphragm 102 is shifted by the diaphragm shift mechanism 110, e.g., an electromagnetic device (col. 4, lines 44-48, Figs. 1, 2A and 2B). Satoh also discloses that the aperture section 102a of the diaphragm 102 is controlled by the auto-exposure control section 112 (col. 4, lines 17-21, Fig. 1). Therefore, Satoh discloses that separate actuators are needed for shifting the diaphragm 102 and for adjusting the aperture section 102a of diaphragm 102.

Accordingly, Applicant submits that Satoh does not disclose or suggest that the actuators shift an aperture stop unit and also change an opening size of the aperture stop as set forth in claim 15.

Applicant submits that the claimed structure is patentable over that of Satoh because the structure of Satoh will be complicated, thereby increasing costs when compared to the structure as set forth in claim 15.

Applicant submits that claim 17 is patentable at least by virtue of its dependency on claim 15.

Applicant has canceled claim 16.

IV. Claim Rejections - 35 USC § 103

The Examiner has rejected claims 1, 7, 9 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Satoh in view of Kimura *et al.* (US 4,599,653) [“Kimura”]. For at least the following reasons, Applicant traverses the rejection.

The Examiner concedes that Satoh does not disclose the manual focus device as set forth in claims 1, 7, 9 and 14 but applies Kimura to allegedly cure the deficiency. The Examiner contends that it would have been obvious to modify the system of Satoh with the teachings of Kimura in order to “obtain the desirable feature of obtaining user control of the focus lens.” Applicant disagrees.

The system in Satoh relates to an auto-focus apparatus for a digital camera (col. 1, lines 5-10). Applicant submits that to adopt the Examiner’s suggestion to change this system into a manual focus system would be to fundamentally change the principle of operation of the system in Satoh. The MPEP is quite clear in that if the proposed modification changes the principle of operation of a reference, the teachings of the references are not sufficient to render the claims *prima facie* obvious. See MPEP at 2100-132.

To the extent that the Examiner may be contending that the manual focus feature may be added to the auto-focus system of Satoh, Applicant submits that this suggestion is not found in either Satoh or Kimura. In fact, Satoh discloses that reducing the number of components in a digital camera is an important issue and that an object of the invention is to provide high-speed focusing operation with low cost (col. 1, lines 13-15 and col. 2, lines 6-9). Accordingly, Applicant submits that Satoh arguably teaches away from a manual focus system and adding additional components.

The Examiner has rejected claims 2 and 3 under 35 U.S.C. § 103(a) as being unpatentable over Satoh in view of Kimura and Erlichman (US 3,977,012) [“Erlichman”]. The Examiner has

also rejected claims 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Satoh in view of Erlichman.

The Examiner concedes that the structure for the aperture stop shifting mechanism as set forth in claims 2, 3 and 23-25 is not disclosed by Satoh or Kimura but applies Erlichman to allegedly cure the deficiency.

Claim 2 recites that the aperture stop shifting mechanism includes “first and second blade actuators for respectively moving said first and second aperture stop blades in said first and second directions.” The Examiner contends that Erlichman discloses a “first actuator, for blade 40, [that] includes a rack 54, pinion 52 and motor 60 [and a] ... second actuator, for blade 42, [that] includes rack 56, pinion 52 and motor 60.” Office Action at page 4.

Applicant submits that the use of the same components (i.e., pinion 52 and motor 60) to contend that two different claimed components (i.e., the first blade actuator and the second blade actuator) have been disclosed is improper. Since Erlichman does not disclose or suggest that each aperture stop blade have its own blade actuator, Applicant submits that the Examiner has failed to make a *prima facie* case of obviousness.

Claim 3 recites that each of the first blade actuator and the second blade actuator includes “a rack...a pinion ... [and] a motor ...” As stated above, Erlichman discloses a common pinion 52 and a common motor 60 in its actuator design. Accordingly, Applicant submits that Erlichman does not disclose or suggest that each of the actuators has a rack, pinion and motor as set forth in claim 3.

Because claims 23 and 24 recite features that are similar to those given above with respect to claims 2 and 3, respectively, Applicant submits that claims 23 and 24 are patentable for at least reasons similar to those given above with respect to claims 2 and 3, respectively.

Applicant submits that claim 25 is patentable at least by virtue of its dependency.

V. Rejoinder of Claims

Because independent claims 1 and 15 are patentable for at least the reasons given above, Applicant requests rejoinder of claims 4-8, 10-13, 18-22 and 26-28 based on their respective dependencies.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Serial No. 10/614,328

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Respectfully submitted,

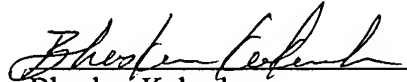
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